

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

vs.

STEFAN QIN, VIRGIL TECHNOLOGIES
LLC, MONTGOMERY TECHNOLOGIES
LLC, VIRGIL QUANTITATIVE
RESEARCH, LLC, VIRGIL CAPITAL LLC,
and VQR PARTNERS LLC,

Defendants.

Case No.: 20-cv-10849 (LGS)

**[PROPOSED] ORDER GRANTING RECEIVER’S MOTION TO SET BAR DATE FOR
CLAIMS AGAINST THE RECEIVERSHIP ESTATE AND TO APPROVE CLAIM
FORM AND NOTICE PROCEDURES**

WHEREAS this matter has come before the Court upon motion of the Court-appointed receiver, Robert A. Musiala, Jr. (“Receiver”), for permission (i) to set 11:59 p.m. prevailing Eastern Time on a date 120 days from the date of entry of this Court’s Order Granting Receiver’s Motion to Set Bar Date For Claims Against the Receivership Estate and to Approve Claim Form and Notice Procedures (“Order”) as the deadline for filing proofs of claim and/or equity interest (“Bar Date”) relating to Virgil Capital LLC, Montgomery Technologies, LLC, Virgil Technologies, LLC, Virgil Quantitative Research, LLC and VQR Partners, LLC, including without limitation the assets of Virgil Sigma Fund, LP and VQR Multistrategy Fund, LP (collectively, “Receivership Entities,” and, together with all other Recoverable Assets,¹

¹ Capitalized terms utilized but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

collectively, “Receivership Estate”); and (ii) to approve the proposed Notice and Claim Form, Publication Notice, and notice procedures (“Motion”).

IT IS HEREBY ORDERED THAT:

1. The Receiver’s Motion is GRANTED;
2. The Notice and Claim Form, substantially in the form set forth in Exhibit A of the Motion, is APPROVED;
3. The Publication Notice, substantially in the form set forth in Exhibit B of the Motion, is APPROVED;
4. Within fourteen (14) business days following the entry of this Order, the Receiver will send Notice, substantially in the form set forth in Exhibit A of the Motion, via electronic mail, or, where necessary, via U.S. mail to all Identified Claimants;
5. Within fourteen (14) business days following the entry of this Order, the Receiver will publish the Publication Notice, substantially in the form set forth in Exhibit B of the Motion and such publication shall be deemed sufficient and adequate notice of the Bar Date and of the provisions of this Order to all parties that may hold claims against the Receivership Estate;
6. All persons having claims against the Receivership Estate shall assert such claims by using the Claim Form and shall provide all Supporting Documentation which the Claimant believes supports the claim;
7. All persons having claims against the Receivership Estate shall file and submit the Claim Form and any Supporting Documentation via the Receiver’s secure online portal available at <https://www.bakerlaw.com/qin-receivership> such that it is received by the Receiver on

or before the Bar Date, or, in instances where filing of the Claim Form will be accomplished via U.S. mail or other common carrier, such that it is postmarked on or before the Bar Date;

8. Claims against the Receivership Estate will be deemed untimely if a Claimant's Claim Form is actually received by the Receiver after the Bar Date, or, in instances where the Claim Form is filed by U.S. mail or other common carrier, is postmarked after the Bar Date;
9. Any holder of a Late Claim shall be forever barred, estopped, and enjoined from later asserting such Late Claim against the Receivership Estate unless the acceptance of the Late Claim is warranted as determined by the Receiver, in his sole discretion, or as ordered by the Court upon the motion of a potential Claimant;
10. Late Claims may be barred by the Receiver, in his sole discretion, from any distribution of Receivership Estate assets until expenses of administering the Receivership Estate and all timely allowed claims are paid in full;
11. The Receiver is authorized to pay any expenses incurred as a result of the Notice, Claim Form, Publication Notice, and accompanying procedures as outlined in the Motion;
12. The Court retains jurisdiction to enforce and implement the terms and provisions of this Order.

Dated: July __, 2022

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE